*782 /153 cont./
627 by the other party to drink blood in place of the principal in order to settle a dispute. There is also all-round blood drinking in which the witness and the disputing parties all drink blood. This generally occurs when the two parties mutually avail themselves of pretexts, and there is no alternative but for the two parties and the witness all to drink blood. Moreover, there are times when the whole family drinks blood. The whole family, father, mother, wife, and children, male and female, big and small, altogether enter the temple to drink blood. In drinking blood, this is the most important. After drinking blood each must take an oath, saying: "If you wrongly accuse me, I shall become very prosperous; if I wrongly accuse you, then I shall nine times die and nine times be cut off." After the blood drinking, there can be no regrets, regardless of whether the issue is important or trivial.

On drinking blood at the T'ien Wang temple, it is necessary to write out the oath /to be burned?/. A blood list is also burned. The blood supervisor is compensated with a sum of 880 cash or at most 8,800 cash, which is called "money for binding words." Three days after the blood drinking one has to kill an animal to make good the vow, which is called "repenting."

[691] [695] The Miao are addicted to kuei and to litigation. Sometimes litigation may last a year, and the court, unable to decide the case, may ask both parties to eat blood. This serves as a deterrent. Yen Ju-yü in his Miao Fang-pei Lan says: "Those who enter the temple to drink blood move on their knees and bellies, not daring to look up; those who are in the wrong dare not drink it, but repent and yield." In the course of our investigations in the Miao frontier area, the private secretary of the hsien government at Feng-huang, Mr. Wang Yüeh-yen told us: "The T'ien Wang temple is the Supreme Court of the Miao area.

[695] When a Miao is not satisfied with the decision of the hsien government, then he is ordered to go to the T'ien Wang temple to drink blood. Whatever the litigation, big or small, it receives immediate settlement." It can be seen that the Miao's awe of

[692] kuei is greater than their awe of the law.

/160 cont./

*782 [784] [776] [627] [778] are all forbidden. After the prohibitions are lifted and the sacrificial beasts presented, normal life may be resumed. The Miao are very much in awe of this shen. If one has drunk blood and taken an oath in a T'ien Wang temple, one would not dare to repudiate it. There are many T'ien Wang temples in the Miao area, the largest of which is at Ya-ch'i, Kan-ch'eng (Illus. 69), which is regarded by the Miao as holy ground. A Miao village without a T'ien Wang temple sometimes may request the T'ien Wang to come to the village to decide a case. He may also be [627] asked to go on an inspection tour, as in Illus. 70, showing the T'ien Wang of Hsin-chai, Feng-huang, who was asked to go to another village to decide a case.

Besides the two days of sacrifice to T'ien Wang before the Hsiao-shu period, the Miao may also write complaints, secret accusations, etc., and make vows to T'ien Wang at other [731] [755] [691] times in the event of danger, such as the ravages of soldiers and rebels, serious illness, or losing a lawsuit. A table is set up in an empty room, and on it are placed five teacups and a piece of tile. Chaff and beeswax as well as paper money are burned. The suppliant kowtows and makes a vow, and invokes the protection of the shen. In the vow he promises a pig or a goat, or both, or /Illus. 69 and 70 on pp. 161, 162/ /163/ an ox, depending upon the seriousness of his problem and his financial condition. A sorcerer-priest is also asked to come to the house to make the vow if the purpose is important. The table set at the [691] [731] [755] time of making the vow is not removed until the time the vow is fulfilled. If the case is won, or the patient recovers, or no distress is caused in time of war, the vow must be fulfilled. The things promised may be increased but not decreased. Even if the results shown are not as expected, still the vow must be fulfilled, but in this case the things promised may be reduced.

[773] [776] What shen after all is this White Emperor T'ien Wang? Stories vary. According to Miao Fang-pei Lan, Volume 22, there are three stories. The first was about the three sons of T'ien-chiang of the Han period; the second was about the three sons of the Bamboo King; and the third story was about the three brothers of

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(9) The Kuei of the High Slope

*782 [731] [776] [691] This shen is very fierce. They sacrifice to him for the prevention of great dangers, such as litigation and the menace of bandits. His protection must be sought in advance. The ritual is performed during the day on a hillside. Oil, salt, a knife, bowls, a pan, a slicer /ch'an/, and cooking utensils are brought along. They use seven flags, seven flag spears (made of bamboo, one end of which is slit in two, one half being bent into a triangular shape), seven stacks of paper money, one sheng of uncooked rice, in which is stuck incense and candles, a knife, seven piles of mi-pa, seven bowls of wine, one bowl of salted pepper soup, one bowl of chicken meat, and one bowl of cooked rice, in which chopsticks are inserted. The sorcerer-priest, wearing ordinary clothes and holding the chiao-tzu in his right hand, utters the incantation to invoke the shen. After the incantation, *[787] he divines with the chiao-tzu, and if he finds that the shen has descended, he pours the wine and states the reason for the sacrifice, and asks him to accept the offerings. A recess follows. At this point the host kills the chicken, cooks it, and puts it in a bowl. At the same time he hands up a bowl of cooked rice /170/ and a bowl of salted pepper soup. Holding the chiao-tzu, the sorcerer-priest again utters an incantation and divines with *[787] the chiao-tzu to see if the shen has agreed to give protection or not. After this, he burns the paper and flags and streamers to send the shen away. When the affair is over the chicken is cut up and eaten on the spot.

(10) The Kuei of Those of the Five Surnames Who Died of Injuries

[551] [776] [755] The five surnames of the Miao are Wu, Lung, Liao, Shih, and Ma. It is said that those who die of injuries become evil kuei. The Miao sacrifice to them to seek protection in case of sickness or of seeing something strange. They use a winnowing

/171 cont./
of meat, and a bowl of salted pepper soup. The sorcerer-priest once more squats at his original place, utters an incantation, divines with the chiao-tzu, and burns the paper to send the shen away.

(11) The Kuei of Deceit

When a Miao is involved in a litigation, he will wish to cause the kuei of deceit to go to confuse the opposite party, and so he sacrifices to this kuei. A winnowing basket is laid down to the right of the main door inside the main house. In it are put five piles of mi-pa, each made up of three pieces, and into the middle pile are stuck three sticks of incense. There are also five bowls of wine and five stacks of paper money in the tray. Outside the tray a bowl of chaff burns. The sorcerer wears ordinary clothes, holds the chiao-tzu in his right hand, and sits down facing the

Illus. 73. Sacrifice to the Kuei of Those of the Five Surnames Who Died of Injuries.

winnowing basket. He utters an incantation, divines with the chiao-tzu, pours the wine, and states the reason for the performance. He

7: Clarke M-3 (no date) 1911 AE5 Miao AE5

Miao are ruled much in the same way as the Chinese who live in villages and hamlets. 622

The Miao are, we have many reasons to think, more litigious than the Chinese, constantly going "to have the law" on some one, or some one going "to have the law" on them. In many cases the affair is brought before the local headman, but on these occasions it is difficult to satisfy both parties, and the loser is almost certain to carry the case before the district magistrate. It is amazing to note how much of their time and money these people spend in legal proceedings, and very often fail to get justice after all. But it is a point of honour with them, and they think it due to themselves and their reputations to fight a case to the bitter end. 691

This love of litigation is encouraged by the secretaries and underlings in the various Yamen, who depend for their living principally on the law cases, civil and criminal, brought before the magistrate. If there were no litigation these men would starve. Thus cases that have been settled, and possibly justly settled, by the headman, can always be reopened before the district magistrate, and cases settled by one magistrate can be retried by his successor. This is not from any love of justice, but for the 691 661

7: Clarke M-3 (no date) 1911 AE5 Miao AE5

691 sake of the bribes, squeezes, and fees that are
661 to be obtained from the litigants. The average incumbency of a district magistrate in Kweichow is not, we think, over twelve months.

Not only do the Yamen people profit by the cases brought before the magistrate, but very often underlings, and others in league with the Yamen, foment litigation and exhort the simple country-folk to take their grievances, or reopen their cases, before the magistrate. The longer a case lasts, and the more people can be drawn into it, the more profit there is for the Yamen. Very often cases are trumped up and false accusations made, and even if the accused finally obtains a verdict in his favour, it will only be after he has been mercilessly squeezed by these harpies. Probably on account of their ignorance and the lack of men among them with literary degrees, which would give them the privilege of interviewing the magistrate, the Miao are even more squeezed than the Chinese. Yamen secretaries, however, are neither partial nor particular, but always willing and zealous to extort money from everybody they can lay their hands on.

594 Among the Miao nearly all the disputes
586 arise on account of their land or their women. They recognise the marriage relation, but do

7: Clarke M-3 (no date) 1911 AE5 Miao AE5

586 and the little food she got, she is willing to return, but her husband has never come to his home to fetch her. Note, it is the custom for a husband to make a present to his wife's father on such an occasion.

Many angry words are spoken by the three parties concerned, and after everybody has added his or her word to the discussion, the case may be ended by the elders suggesting that the lover should repay the husband the cost of his wife and marry her himself, and that the husband should take the money and go elsewhere for a wife. If, however, the lover's influence is strong, the elders may decide that the girl go back to her husband, knowing that she will do nothing of the sort, or will not stay with him if she does go back. The case is thus only postponed for another time. We have assisted at some of the discussions of these matrimonial cases and know how hard they [691] are to settle. These daughter-in-law cases are not often brought before the Chinese magistrate, except when they have led to fighting, and, as sometimes happens, to serious wounds and homicide.

627 In the west and north-west of the province, when the Miao are the tenants of the I-chia landholders, all disputes about the land are